

CIVIL CASE NO. 3:07cv068

Defendant.

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DEFAULT JUDGMENT

IT FURTHER APPEARING TO THE COURT that no answer or other responsive pleading was timely served or filed by Defendant and no

extension of time to serve or file such a pleading has been granted and that the time for Defendant to serve or file an answer or otherwise respond to Meineke's Verified Complaint has expired; and

IT FURTHER APPEARING TO THE COURT that based on the default of Defendant having been duly entered according to law, and upon the application of Plaintiff in this action, judgment should be entered against Defendant pursuant to the Prayer for Relief of Meineke's Verified Complaint and its Motion for Default Judgment.

Upon review of the Verified Complaint and the entire record in this case, the Court hereby makes the following findings of fact:

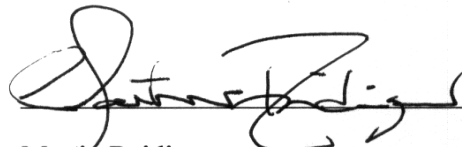
1. Meineke is entitled to recover from Defendant damages in the amount of \$75,636.91, representing unpaid future franchise fees and advertising contributions owed to Meineke; and
2. Meineke is entitled to recover from Defendant damages in the amount of \$13,586.02, representing past due franchise fees and advertising contributions owed to Meineke.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Meineke have and recover from Defendant a judgment in the amount of \$89,222.93, plus interest from the date of entry of judgment at the federal rate set forth in 28 U.S.C. § 1961(a).
2. Meineke has voluntarily dismissed its remaining claims against Defendant pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure. Accordingly, all remaining claims, including but not limited to, Meineke's claims for preliminary and permanent injunctive relief, are hereby deemed to be
DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

Signed: October 5, 2007


Martin Reidinger
United States District Judge

